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Letter dated 17 May 2007 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General

Further to my letter to you dated 2 May 2007 and its annex (the presidential decree establishing the Darfur Assessment and Evaluation Commission) (S/2007/258), it is my pleasure to transmit to you the progress report on the implementation of the Darfur Peace Agreement (see annex), which reflects that the implementation of the Agreement is progressing on schedule despite the destructive ongoing role of the non-signatories to impede the implementation.

I should be grateful if the present letter and its annex would be circulated as a document of the Security Council.

(*Signed*) Abdalmahmood Abdalhaleem **Mohamad**
Permanent Representative

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Annex to the letter dated 17 May 2007 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General

[Original: Arabic]

Status of implementation of the Darfur Peace Agreement as of May 2007

1. On 5 May 2006, after arduous rounds of negotiation under the auspices of the African Union and with the support of the international community, the Darfur Peace Agreement (DPA) was finally signed in Abuja between the Government of the Sudan and the Sudan Liberation Movement (Minawi faction). Both the Government and the African Union Mission in the Sudan (AMIS) made subsequent efforts to persuade other groups to accede to the Agreement. As a result, the following acceded to the Agreement:

- The Sudan Liberation Movement (Peace Faction, headed by Engineer Ibrahim Maadibo);
- The Sudan Liberation Movement (Free Will Faction, headed by Professor Abd al-Rahim Moussa);
- The Justice and Equality Movement (Peace Faction, headed by Mr. Abd al-Rahim Adam Abu Risha).

The leaders of those groups signed the Declaration of Commitment at the headquarters of the African Union in Addis Ababa.

2. In addition, with the mediation of the Libyan Arab Jamahiriya, the Government reached understandings with the faction of Mr. Abu al-Qasim Imam of the Sudan Liberation Movement, which culminated in the signing of a joint declaration between the Government and that faction in Tripoli in November 2006, followed, in December 2006, by the signing by that faction of the Declaration of Commitment at the headquarters of the African Union in Addis Ababa. The faction subsequently became an active member of the machinery of the DPA, together with the other signatory factions.

3. In its resolution 1679 (2006), adopted on 16 May 2006, the Security Council expressed its intention to impose sanctions against any individual or group that threatened the peace process or blocked the implementation of the Agreement.

4. The Peace and Security Council of the African Union, at its session held in Banjul in June 2006, also affirmed its readiness to take punitive measures against those who were hindering the peace process and the implementation of the DPA.

5. The high-level consultation between the United Nations, the African Union, the Government of the Sudan and the international and regional parties involved, which met in Addis Ababa on 16 November 2006, decided in its summary of "the components of the peace process" that the DPA was the basic reference for the attainment of peace in Darfur, that discussion on it must not be reopened and that no party must be allowed to impede the peace process. The high-level consultation of the United Nations and the African Union assigned to the United Nations and the African Union the task of involving non-signatories to the Agreement in the peace

process. Indeed, with a view to achieving a comprehensive and lasting peace in Darfur, the special envoys of the two organizations, Dr. Salim Ahmed Salim and Mr. Jan Eliasson, made many visits to the Sudan and to neighbouring States and met officials of the Sudanese Government, the leaders of those movements that had rejected the Agreement and concerned parties in the neighbouring States.

6. On 28 and 29 April 2007, the Libyan Arab Jamahiriya also hosted and sponsored the Tripoli meeting which was attended by representatives of the Sudanese Government and by States and international and regional organizations interested in moving the peace process in Darfur forward. The Tripoli Consensus affirmed the importance of convergence and coordination of communication initiatives with the movements which rejected the Agreement so as to expedite their adherence to the peace process.

7. Directly after the signing of the DPA on 5 May 2006, the Government prepared to become seriously involved in the process of full implementation and to engage in continuing consultation with the signatory partners. There was a certain amount of justified delay in implementation in the early stages of the process because it was necessary to enable the signatory movements to take matters in hand and prepare their rank and file elements, who were just emerging from the phase of insurgency, to embark on systematic political activity. With a view to making the peace process all-inclusive, the Government and the intermediaries also thought it best to give the non-signatory movements the opportunity to prepare to accede to the DPA after holding consultations with their various support bases. Some of these implementation steps were dependent on completing the establishment of higher-level bodies entrusted with supervising other mechanisms in accordance with the various components of the DPA.

8. As soon as the Agreement was signed, it was ratified by the National Parliament and the Council of States. The state-level constitutions were also amended to bring them into line with the Agreement and the President of the Republic issued Decision No. 114 on 11 June 2006 declaring an amnesty and the release of all detainees belonging to signatory movements that had signed the Agreement and of all individuals who were covered by tribal reconciliation resolutions adopted by the Sudanese State, and of all those who had been in favour of the Agreement.

9. Under Presidential Decree No. 250 of 1 November 2005, the Government set up a Supreme Commission for Darfur to supervise the Darfur peace process chaired by the President of the Republic with First Vice-President Silva Kiir Mayardit and Vice-President Ali Osman Mohamed Taha as alternates; the membership of the Commission included all the ministers involved in the Darfur issue, together with a number of advisers and the heads of other bodies involved. The Supreme Commission had the following subsidiary bodies:

- The subcommittee for legal affairs;
- The committee for liaison and coordination with the United Nations and the African Union;
- The political negotiation committee;
- The committee on humanitarian affairs;
- The subcommittee on resettlement and reconstruction;

- The subcommittee on security affairs;
- The supreme commission on identification of routes.

Each subsidiary body was chaired by the minister responsible for the corresponding portfolio. Routine meetings were held to monitor the progress of implementation of the Agreement and to deal with various obstacles. Each subsidiary body was to report to the Supreme Commission.

10. On the military side, the Government delivered maps of the positions of its military forces in Darfur to the committee on security and military arrangements operating under the umbrella of the African Union mediation group during the seventh round of talks in Abuja (April 2006), thereby underlining the Government's seriousness and its determination to lose no time in bringing a peaceful resolution to the matter.

Progress of implementation of the Agreement in general

11. The Government has made a start on implementing the Agreement in full cooperation and coordination with its fellow signatories and with the African Union Mission in the Sudan (AMIS) in Khartoum which established a group to monitor the progress of implementation and which opened its headquarters in Khartoum in October 2006 with the support of the Government of the Sudan and a number of concerned international parties.

12. The Government has set up joint committees with the signatory movements covering the principal components of the DPA (power-sharing, wealth-sharing, security and military arrangements).

13. The Government has established a unit to follow up progress in implementing the Agreement chaired by the Adviser to the President of the Republic, Dr. Magzoub Al-Khalifa, head of the Government negotiating delegation. The unit coordinates the work of the subsidiary bodies and specialized structures with their various responsibilities.

14. In order to promote the DPA, particularly among the residents of Darfur, many political and media delegations are constantly explaining it to groups of members of the public and in the displaced persons camps in Darfur.

15. Presidential and state-level decrees and decisions have been issued setting up the commissions, funds and committees provided for in the DPA. In addition, the persons responsible for these entities have been appointed, in accordance with the nominations put forward by the signatory movements in compliance with the provisions of the DPA.

16. We shall spell out below the progress of implementation of the various components of the DPA, following the paragraphs of the Agreement itself.

The power-sharing component

17. With regard to power-sharing, several presidential and state-level decrees and decisions have been issued. The following have been accomplished:

(a) Mr. Minni Arko Minawi, Sudan Liberation Movement/Army (SLM/A) has been appointed to the post of Senior Assistant to the President of the Republic (Presidential Decree issued on 3 August 2006).

(b) Dr. Abdul Rahman Moussa (SLM/A-Free Will) has been appointed to the post of Minister of State/Presidency of the Council of Ministers (Presidential Decree of 3 February 2007).

(c) Mr. Mustafa Tirab, Sudan Liberation Movement/Army (Minawi faction) (SLM/A (M)) has been appointed to the post of Minister of State in the Ministry of Federal Governance (Presidential Decree of 5 November 2006).

(d) Mr. Abu `Ubayda `Abd al-Rahim (SLM/A (M)) has been appointed to the post of State Minister for the Environment and Archaeology in the State of Khartoum (State-level Decision of 20 February 2007).

(e) Mr. Abu al-Qasim Imam al-Hajj (SLM/A) has been appointed to the post of Governor of West Darfur (Presidential Decree of 20 February 2007).

(f) All the seats allocated to the signatory movements in the Parliament have been filled, that is, 12 seats (by the Presidential Decree issued on 3 February 2007).

(g) The Transitional Darfur Regional Authority (TDRA) has been formed headed by Mr. Minni Arko Minawi, Senior Assistant to the President of the Republic. Its membership includes the Governors of the three Darfur states and the heads of the committees and commissions formed in accordance with the provisions of the Agreement. The TDRA became operational on 26 April 2007 with the opening of its headquarters in Khartoum. A delegation sent by it has made a visit to the Darfur states to announce that it has begun to function.

(h) The Border Committee was formed by a Presidential Decree issued on 24 September 2006, it being affirmed that the northern border of Darfur shall be as it was on 1 January 1956, in accordance with the DPA.

(i) The establishment of an Assessment and Evaluation Commission in accordance with article 33 of the DPA has been announced. This was by the Presidential Decree issued on 24 March 2007. The Commission is chaired by a representative from the African Union and includes representatives from the Government of the Sudan and signatory movements, as well as representatives of some States and organizations that witnessed the DPA.

18. On the state level, in the Darfur states the following has been done in accordance with state-level decrees:

(a) Two advisers have been appointed in the states of North Darfur and South Darfur (one for each state).

(b) Two state ministers have been appointed in the state of South Darfur (one as Deputy Governor, namely Mr. `Abd al-Rahim Adam Abu Risha, head of the peace faction of the Justice and Equality movement (JEM)).

(c) Two state ministers have been appointed in the state of North Darfur (one as Deputy Governor, namely Mr. `Isa Bahr al-Din of SLM/A (M)).

(d) One state minister has been appointed in the state of West Darfur.

(e) One senior official has been appointed in the state of North Darfur.

(f) Two senior officials have been appointed in the state of South Darfur.

(g) One senior official has been appointed in the state of West Darfur.

(h) 53 members have been appointed to state legislative assemblies, distributed as follows:

- 20 members for the state of South Darfur;
- 16 members for the state of North Darfur;
- 17 members for the state of West Darfur.
- Three members of the movements have also been appointed to the Supreme Commission in Darfur. They occupy high executive positions in the DPA implementation mechanisms.
- The number of posts filled under the power-sharing component is 87. A few posts remain to be filled at the executive and legislative levels in the three states, at the level of district officials, executive directors, members of legislative assemblies, and so forth.

Wealth-sharing

19. Under this component the formation of the following funds, commissions and committees has been accomplished by presidential decrees:

- The Darfur Reconstruction and Development Fund (DRDF) (Presidential Decree of 24 September 2006);
- The Compensation Fund for the victims of the war in Darfur (Presidential Decree of 24 September 2006);
- The Darfur Rehabilitation and Resettlement Commission (DRRC) (Presidential Decree of 24 September 2006);
- The Compensation Committee for victims of the war in Darfur (Presidential Decree of 24 September 2006);
- The Darfur Land Commission (Presidential Decree of 24 September 2006).

20. Presidential decrees have been issued appointing the heads of three of the above-mentioned bodies, who are as follows:

- Engineer Adam 'Abd al-Rahman Ahmad (SLM/A (M)) was appointed head of the Darfur Land Commission on 30 October 2006.
- Engineer 'Abd al-Jabbar Mahmud Dousah (SLM/A (M)) was appointed head of the DRDF on 30 October 2006.
- Mr. Ibrahim Mahmud Maadibo (SLM/A (peace faction)) was appointed head of the DRRC on 3 February 2007.

21. Darfurians have been exempted from all school fees for a period of five years, in accordance with the provisions of the DPA. The Government of the Sudan has also begun drafting measures to give Darfurians access to other educational advantages, in accordance with the DPA.

22. In July 2006, in relation to identifying the needs of Darfur for services and development in coordination with funding institutions and the principal international

donors, the Netherlands hosted a brainstorming meeting between the Sudanese Government, signatory movements and representatives of the international community to determine the outlines of the work of the Darfur Joint Assessment Mission (DJAM), which includes representatives of the Signatory Parties to the DPA and international donors. Preparatory activities had begun with specialized workshops in Nairobi in June 2006. After the Netherlands meeting, the specialized committees began field surveys in many parts of Darfur during the second half of 2006 to identify needs. After the data were collected, agreement was reached on the following aspects of the work:

- Immediate needs for humanitarian assistance, services and emergency aid;
- Needs relating to reconstruction and voluntary return;
- More extensive development projects, which would be in the later stages.

23. It is expected that compilation and analysis of data by the relevant committees in cooperation with international specialists will soon be completed in preparation for a Darfur international reconstruction and development conference with the participation of all relevant international parties.

The security-arrangements component

24. This is one of the components that is tied to precise timetables and has aspects that demand the utmost readiness of the Parties with respect to identification of military positions, the size of forces and disarmament prior to entering into the stages of reintegration, demobilization, disarmament, the demarcation of safe zones, and other security-related and military steps.

25. Believing that there is a need for better implementation of this component, the Government of the Sudan has created military mechanisms to supervise this work and formed joint committees with the signatory movements. The Government has also provided logistical and financial support to members of the signatory movements to the DPA even though that is the international community's responsibility under the terms of the DPA. The Joint Commission during its fifth (Al-Fasher, 7 February 2007) and sixth (Khartoum, 9 May 2007) periodic meetings requested the international community to fulfil its pledges to meet these needs of the signatory movements. The most important achievements under this component are:

(a) The following committees charged with implementing security arrangements have been formed:

- A supreme committee chaired by the Minister of Defence;
- An executive committee chaired by the Chief of Joint Operations of the Sudanese Armed Forces;
- A joint supreme committee for the Darfur states.

(b) The Government of the Sudan handed over maps of its military positions to the African Union during the April 2006 round of negotiations. It also committed itself to a ceasefire immediately upon signature of the DPA. The recent meetings of the Joint Commission at its sixth periodic session (9 May 2007) recognized the obligation of the signatory parties to abide by the ceasefire among them.

(c) The Government has drafted plans which include:

- A plan for policing activities in the buffer zones;
- A plan for a phased reopening of the western military zones.

(d) With respect to disarming the Janjaweed militias, the Government of the Sudan presented its plan for disarming the Janjaweed to the African Union in July 2006 in accordance with the timetable set by the DPA. The African Union, represented by the commander of African forces in Darfur, returned the plan to the Government with some comments, which the Government studied and responded to at the end of 2006. At the last of the Joint Commission meetings in Al-Fasher on 7 February 2007, it was directed that a joint technical committee be formed between the Government of the Sudan and the African Union to begin implementing the plan, whose outlines had been examined by representatives of the international community at that meeting. At the sixth session of the Joint Commission held in Khartoum on 9 May 2007, the joint technical committee of the Sudanese Government and the African Union was asked to expedite the completion of its work in order to make an immediate start on disarmament operations in accordance with the arrangements provided for in the DPA.

(e) With regard to disarming the militias, there was some voluntary disarmament by some members of armed militias in the Kas area in South Darfur in June 2006. The Northern Sudan Disarmament Commission (formed under the DPA) has signed memorandums of understanding with some tribal shura councils in Darfur in which it was agreed that these tribes would commit themselves to disarming individuals and groups within the framework of the DPA and in accordance with international standards. This should contribute to the success of disarmament implementation, which will be a phased process integrated with other aspects of the security arrangements.

(f) The command of the African Union force in Darfur is conducting ongoing consultations with the Government of the Sudan and the signatory movements to begin identifying military positions on the ground. This is an important step upon which other disarmament, reintegration and demobilization steps can build, and which will be integrated in accordance with the plans in the DPA.

The Darfur-Darfur Dialogue

26. The Darfur-Darfur Dialogue is provided for in article 31 of the DPA. Its mandate is derived from the Declaration of Principles signed between the Government of the Sudan and the movements in Abuja on 5 July 2005. Dialogue is among the tools for ensuring the establishment of peace and the implementation of the DPA, and for raising public awareness to secure popular support throughout Darfur. The dialogue is related to political, social and economic areas.

27. Contacts between the Government of the Sudan and the African Union Commission have resulted in the appointment of a Chairman of the Preparatory Committee for the conference, Mr. Abdul Mohamed, who has begun making contacts with the various parties after the Preparatory Committee began its work in October 2006 in Khartoum. Contacts and consultations are ongoing among all parties in order to draw up a schedule of work and identify the outlines of issues to be addressed by the conference. It is hoped that efforts of the Government of the Sudan and the international community to include all the movements that have rejected the peace process will succeed, so that a suitable climate can begin to be created for holding the conference.

15 May 2007